

Exhibit A

Iowa Supreme Court Attorney Disciplinary Board Complaint Form

Complete a separate form for each attorney with whom you have a complaint.

Your name Gregory George SARNO		E-mail address ggsarno@yahoo.com	
Street Address 20858 Chester Street	City Castro Valley	State CA	ZIP code 94546
Home phone (510) (redacted)	Cell phone (redacted)	Business phone	

Name of attorney about whom you are complaining: Matthew G. WHITAKER, Acting Attorney General, DOJ			
Business address 950 Pennsylvania Ave. NW	City Washington	State DC	ZIP code 20530-0001
Business phone (202) 514-2000			

Did you hire the attorney? Check one	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If yes, when did you hire the attorney?	
If no, what is your connection to the attorney? please see enclosed 8-page attachment	

If your complaint is about a lawsuit or court case, answer the following:	
A. Name of court:	Federal District Court, Southern District of Florida <small>Examples: Iowa District Court for Polk County; United States District Court for Northern District of Iowa</small>
B. Case title:	F. T. C. v. World Patent Marketing, Inc. <small>Examples: Smith vs. Jones; State vs. Doe</small>
C. Case number:	1:17-cv-20848 DPG

Type or write neatly on one or more separate sheets of paper a detailed factual statement of what the attorney did or did not do. Return the sheet(s) with this form. Write on only one side of the complaint form and the additional sheets of paper. Attach copies of documents that prove or help to explain your complaint, such as fee agreements, letters, checks, receipts, itemized billings, and court papers. Send only copies, not original documents, as we are not able to return your documents to you.

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Iowa Supreme Court Attorney Disciplinary Board

Street and Apt. No., or P.O. Box No.

111 East Court Avenue

City, State, ZIP+4[®]

Des Moines, Iowa 50319

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

attorney-client privileges, if any, between you and the
close your confidential information to the extent

Signature

I, certify under penalty of perjury and pursuant to the
are true and correct.

Your Signature

Gregory G. Sarno

Iowa Supreme Court Attorney Disciplinary Board

111 East Court Avenue

Des Moines, Iowa 50319

Phone (515) 348-4680

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Gregory G. Sarno,
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November 19, 2018

BY CERTIFIED MAIL

Iowa Supreme Court Attorney Disciplinary Board
Iowa Judicial Branch Building
1111 East Court Avenue
Des Moines, Iowa 50319

Re: Disciplinary Board Complaint — Attorney Matthew G. Whitaker

To Whom It May Concern:

I, the undersigned Gregory G. Sarno, hereby submit the enclosed complaint with an 8-page attachment to the Iowa Supreme Court Attorney Disciplinary Board.

Please file the complaint and investigate the allegations, which (as shown on the signed complaint form) I certify under penalty of perjury and pursuant to the laws of the State of Iowa are true and correct to the best of my knowledge.

Thank you.

Sincerely,

Gregory G. Sarno

**ATTACHMENT TO IOWA SUPREME COURT DISCIPLINARY BOARD
COMPLAINT FORM — ATTORNEY MATTHEW G. WHITAKER**

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OVERVIEW

In his dual capacity as an Iowa attorney and advisory board member of a Florida-based corporation, Matthew G. Whitaker allegedly aided and abetted a fraudulent marketing scheme that cheated thousands of consumers, including disabled military vets, out of millions of dollars, by serving as an “enforcer” threatening laypersons who complained or who sought refunds — and, in so acting, Whitaker either knowingly and willfully facilitated the company’s fraud, or acted in reckless or grossly negligent disregard of such fraud with willful blinders thereof.

The cited actions apparently violated three Iowa Rules of Professional Conduct.

ETHICS RULES

The Iowa Rules of Professional Conduct implicated by Whitaker’s avowedly “thuggish” enforcement of his colleagues’ fraudulent scheme consist of:

Rule 32:4.1: Truthfulness in Statements to Others

In the course of representing a client, a lawyer shall not knowingly:

- (a) make a false statement of material fact or law to a third person; or
- (b) fail to disclose a material fact to a third person when disclosure is necessary to avoid assisting a criminal or fraudulent act by a client [. . .].

Rule 32:4.3: Dealing With Unrepresented Person

In dealing on behalf of a client with a person who is not represented by counsel, a lawyer shall not state or imply that the lawyer is disinterested. When the lawyer knows or reasonably should know that the unrepresented person misunderstands the lawyer’s role in the matter, the lawyer shall make reasonable efforts to correct the misunderstanding. The lawyer shall not give legal advice to an unrepresented person, other than the advice to secure counsel, if the lawyer knows or reasonably

should know that the interests of such a person are or have a reasonable possibility of being in conflict with the interests of the client.

Rule 32:8.4: Misconduct

It is professional misconduct for a lawyer to:

(a, b) [omitted]

(c) engage in conduct involving dishonesty, fraud, deceit, or misrepresentation.

The actions briefly summarized below establish that Whitaker avowedly violated the foregoing rules by, *inter alia*, aggressively exploiting his dual status as an active Iowa attorney and a former federal prosecutor while threatening the unfounded criminal prosecution of persons lawfully seeking redress after being defrauded by an illicit marketing scheme.

Moreover, Whitaker's alleged actions may also implicate criminal violations of the federal Racketeering Influenced Corrupt Organizations Act (RICO), 18 United States Code §§ 1961 et seq., although such possible violations exceed the scope of the within disciplinary board complaint. (As noted in the final section, the FBI is reportedly currently probing the fraud allegations against the Florida corporation during the period that Whitaker served as a paid advisory-board member.)

ENFORCER OF FRAUDULENT SCHEME

Recently appointed as Acting Attorney General (AAG) of the U.S. Department of Justice (DOJ), Matthew G. Whitaker previously served as a paid member of the advisory board of a Florida company that was shut down by district court Judge Darrin P. Gayles, who imposed a fine of nearly \$26 million after the Federal Trade Commission (FTC) had charged the company with scamming its customers.

World Patent Marketing (WPM) allegedly "bilked thousands of consumers out of millions of dollars" by falsely promising inventors lucrative patent agreements, according to an FTC complaint filed in the U.S. District Court for the Southern District of Florida (Case No. 1:17-cv-20848-DPG). Founded in 2014 with the glossy veneer of a legitimate business entity, the Miami Beach company failed to fulfill virtually every promise it made to consumers, stringing them along for months or even years after siphoning their money by means of false pretenses.

In a successful ruse to lure patsies, the WPM's "splashy" website displayed logos of Target, Walmart, Home Depot, Walgreens, and Best Buy, falsely declaring that those retailers carried the products of WPM customers. The website devoted a section to "success stories," which included the inventors of Supreme Diva Jeans, Teddy's Ballie Bumpers, and Bimini Top Push Mower — none of whom had

received patents, marketed their wares, or realized financial gain through WPM. The website trumpeted glowing customer reviews and video testimonials — all of which had been prepared, at the company's behest, at the start of the process *before* customers enjoyed an opportunity to properly evaluate its services.

Marketing emails reportedly stated that the History Channel had aired a “whole segment” on WPM, which in fact had forked out \$17,170 to air a commercial — once. Too, WPM bragged of (non-existent) business ties to Harvard and MIT.

Court documents demonstrated that when duped consumers sought refunds, the company's founder-president Scott J. Cooper deployed Whitaker to threaten them as a former federal prosecutor, reportedly paying Whitaker nearly \$10,000 for his “enforcer” services before the company closed.

When prospective customers left contact information on the firm's website, an employee would call them back and recite a rehearsed script: to wit, that WPM constituted an “invention powerhouse” with an “incredible advisory board,” including Whitaker, who was hyped as a “former United States attorney appointed by President George Bush,” a position that he had relinquished in 2009.

After joining the WPM board, Whitaker was quoted in a news release issued by the company as stating that he was honored to be a part of WPM since it was a “trusted partner to many inventors” (a patently false avowal).

In another news release, Whitaker boasted that “as a former U.S. attorney, I would only align myself with a first-class organization” (equally fallacious).

“World Patent Marketing” (he continued) “goes beyond making statements about doing business ‘ethically’ and translates those words into action” (utterly untrue).

In 2015 footage uploaded to Vimeo, Whitaker is seen reviewing an invention meant to lessen the incidence of razor-blade gashes. Social media featured a photograph of Whitaker smiling next to Cooper at WPM offices in Miami.

The FTC complaint claimed that consumers were told they had to spend some \$3,000 for a “Global Invention Royalty Analysis” to initiate the process of examining an invention with the (illusory) goal of securing a patent. After paying the fee, they were then pitched various auxiliary packages at exorbitant prices ranging from roughly \$8,000 to \$65,000.

Once WPM induced payment, it typically abandoned its customers to swim, flounder, or drown on their own. Cooper would often berate or threaten them when they expressed concerns, posed questions, or “begged” for a refund.

“Defendants and their lawyers have threatened consumers with lawsuits and even criminal charges and incarceration for making any kind of complaint,” averred the FTC complaint.

More than once, Cooper cited Whitaker’s erstwhile status as a federal prosecutor to rebuff or repudiate customers’ grievances.

Whitaker himself, using the email address of his evidently now-defunct Iowa law firm, reputedly told one aggrieved customer that he was an ex-federal prosecutor and that he served on the WPM board.

“Your emails and message from today seem to be an apparent attempt at possible blackmail or extortion,” wrote Whitaker in an August 2015 email. “You also mentioned filing a complaint with the Better Business Bureau and to [*sic*] smear World Patent Marketing’s reputation online. I am assuming you understand that there could be serious civil and criminal consequences for you.”

When another beleaguered customer, Rich O’Neill of Montana, emailed a refund request, Cooper fired back an equally threatening email: “You’re telling me that if I don’t refund your \$1,300, you will blackmail me into [*sic*] filing complaints with regulators? And you just put it in writing. You are aware that we have a former U.S. attorney on our board.” (Cooper gave a refund to O’Neill, who told the *New York Times* that he regarded the email reference to Whitaker as intimidation.)

The FTC complaint accused WPM of using “thuggish tactics.” In an email to customers, the company referenced a blog post that described how one victim had tried to speak to Cooper about an invention idea. The post said that the victim was intercepted by WPM’s “intimidating security team, all ex-Israeli special ops and trained in Krav Maga, one of the most deadly of the martial arts. The World Patent Marketing Security Team are [*sic*] the kind of guys who are trained to knock out first and ask questions later.”

One customer, Brenda Wilcox, a Trump supporter in Broward County, Florida, told the *New York Times* that WPM had scammed \$11,000 from her after agreeing to market, license, and develop a bracelet that would alert drivers if they left an infant in the back seat of their vehicle — a potentially lifesaving invention undermined, rather than advanced, by Cooper, Whitaker, and their cohorts.

An unemployed widow, who lost \$8,000, wrote to Cooper in December 2016, “You have caused me tremendous grief. I can’t sleep, my stress level is at an all-time high, and the last of my savings has been stolen with nothing to show for it.”

One inventor who had lost \$12,000 lamented that he incurred “a stress related condition that is eating away at my hair.”

After an anonymous post on RipoffReport.com labeling WPM a scam, someone identifying himself as Matthew Whitaker phoned the owner of Ripoff Report, who said that the caller “threatened me using a lot of foul language. He threatened to ruin my business if I didn’t remove the reports. He [said he] would have the government shut me down under some homeland security law.”

Perhaps the most egregious scamming by WPM targeted vulnerable military veterans who had served the nation honorably, only to be spat at in return for their valiant service.

SCAMMING OF DISABLED VETERANS

WPM promoted itself as a champion of veterans. “Not only do we honor the veterans and soldiers of our armed forces[,] but we are also celebrating what they are protecting — the American dream,” proclaimed WPM in a cynical release timed for Veterans Day 2014, which highlighted Whitaker’s role at the firm.

According to court filings and interviews by *The Guardian*, several military veterans, two of them with disabilities, complained they lost tens of thousands of dollars in the WPM scam, having been deceived into paying for patenting and licensing services by the seemingly impressive credentials of Whitaker and his fellow board members. (None said they’d dealt with Whitaker directly.).

“World Patent Marketing has devastated me emotionally, mentally, and financially,” said Hawaiian vet Melvin Kiaaina, who had trusted WPM with his life savings in part because it “had respected people on the board of directors.”

The 60-year-old declared that he was a disabled U.S. Army paratrooper, and that he had paid WPM to patent and promote his ideas for fishing equipment.

“I received nothing for the \$14,085 I paid to the company, other than a bad quality drawing and logo that my grandson could have made,” said Kiaaina.

Likewise, Dennis Artman, a 24-year veteran of the Army and Air Force reserves, took \$25,000 from his retirement savings account in 2015 to pay WPM to patent and promote a potentially lifesaving device that his then-wife Gwendolyn had created to jolt sleeping drivers awake and guide them to accommodations.

"[Dennis] said, 'I know it's a lot of money, but I believe in it and I believe in you,'" declared Gwendolyn, who reportedly received some twenty-five emails from WPM that touted the background of Whitaker and other board members.

The Artmans got divorced after more than ten years of marriage. According to Gwendolyn, the WPM fiasco was partly to blame. "I think he [Dennis] lost faith in me. It was a lot of money, and he blamed me for losing it."

Some of the scammed veterans said they were impressed by inclusion on the advisory board of Congressman Brian Mast, a Florida Republican who lost both legs in a bombing in Afghanistan. (Mast, recently reelected to Congress, claimed that Cooper had appointed him to the advisory board without his consent.)

Another WPM client, Ryan Masti, who served in the Navy and suffered from dyslexia and attention deficit hyperactivity disorder, said that a WPM rep's boast of the company's connection to Whitaker and Mast had persuaded him to pay more than \$75,000 to WPM to register, develop, and promote his idea for Socially Accepted, a social network aimed at people with disabilities. In return, Masti allegedly received only a press release, a logo, and a shoddy website template.

"I spent the money on a dream to help people," said Masti. "And I lost everything" despite a WPM executive's assurance that he "could make a million in sales."

Masti, a 26-year-old farmer, borrowed \$50,000 from his father's retirement account, took out a commercial loan for roughly \$20,000, and used \$7,000 inherited from his late grandfather, a World War Two vet.

"It's totally ridiculous," said Masti on the eve of changing his party affiliation from Republican to Democrat in the wake of Whitaker's AAG appointment. "It makes the whole Republican party look so bad. How could a president appoint someone like this? And then not have a problem about it when it comes out? He should be taking care of the victims."

STANDING TO FILE COMPLAINT

So much for the substantive allegations against Whitaker and his WPM cronies. This section addresses the procedural issue of standing to file a complaint.

I, the undersigned complainant, Gregory G. Sarno, am not now and have never been a client of Whitaker's, nor am I an Iowa resident. However, I am a United States citizen by birth and a federal taxpayer, and I have been injured by the expenditure of federal tax revenues presumably authorized, or acquiesced in, by

Whitaker in his capacity as AAG in a patent attempt to deny or minimize his alleged role as the chief “enforcer” of WPM’s fraudulent marketing scheme.

Moreover, AAG Whitaker ordered or permitted a DOJ spokesperson, Kerri Kupec, to email a defense of Whitaker’s involvement in the unlawful scheme: “Acting attorney general Matt Whitaker has said he was not aware of any fraudulent activity. Any stories suggesting otherwise are false.”

Whitaker’s use of tax revenues, including my modest payments, confers upon me standing to file the instant complaint. Furthermore, I have suffered a loss of faith in the integrity of the DOJ as a proximate result of Whitaker’s alleged misconduct, aggravated by the ostensibly illegal and unconstitutional circumstances plaguing his appointment as AAG (another issue beyond the present scope).

CONCLUSION

I, the undersigned complainant, Gregory G. Sarno, hereby declare under penalty of perjury of the laws of the States of Iowa and California (where I reside) that the foregoing statements are true and correct to the best of my knowledge, which draws upon and is limited to the judicial and media sources cited below.

I respectfully request the Iowa Supreme Court to investigate the “enforcer” allegations against Whitaker, and to take appropriate steps, including but not limited to censure, suspension, or disbarment, in the event that his allegedly “thuggish” tactics in furtherance of WPM’s fraudulent marketing scheme are shown to be true — and in the further event that Whitaker fails to adduce credible and convincing evidence of a legally justifiable excuse for aiding and abetting the WPM scam, although given Whitaker’s active membership in the Iowa State Bar (to say nothing of his temporary AAG appointment), the present complainant can conceive of no lawful grounds that might mitigate or condone such malfeasance.

In its discretion, the Iowa Supreme Court might seek to coordinate with an FBI investigation that reportedly is currently probing the fraud allegations against WPM during the period that Whitaker served as a paid advisory-board member.*

Date: 11/19/2018


GREGORY G. SARNO, COMPLAINANT

* At a recent “summit” in Des Moines on elder fraud, crowing “It’s good to be home,” Whitaker betrayed hubris — some might say “hypocrisy” — in promising to provide prosecutors with the necessary resources “to keep putting fraudsters in jail.” O. Kay Henderson, “Whitaker Promises Accelerated Pace for Elder Fraud Prosecutions” (11/14/2018), <https://www.radioiowa.com/2018/11/14/whitaker-promises-accelerated-pace-for-elder-fraud-prosecutions/>. Unsurprisingly, Whitaker didn’t acknowledge a role in the WPM scam.

SOURCES

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